

## Message Text

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11

ACTION IO-10

INFO OCT-01 ARA-06 EUR-12 EA-07 ISO-00 AF-06 NEA-10

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 FEA-01 ACDA-05

AGR-05 AID-05 CEA-01 CEQ-01 CG-00 CIEP-01 OFA-01

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TRSE-00 INT-05 JUSE-00 NSF-01 OES-03 OMB-01 /146 W

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R 060044Z NOV 75

FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC 3676

INFO AMEMBASSY SANTIAGO

AMEMBASSY QUITO

AMEMBASSY LIMA

AMEMBASSY BOGOTA

AMEMBASSY PANAMA

AMEMBASSY SAN JOSE

AMEMBASSY OTTAWA

AMEMBASSY SAN SALVADOR

AMEMBASSY MANAGUA

AMEMBASSY GUATEMALA

AMEMBASSY MEXICO CITY

AMEMBASSY TOKYO

AMEMBASSY PARIS

C O N F I D E N T I A L USUN 5681

E.O. 11652: GDS

TAGS: PLOS

SUBJ: NEW YORK TUNA TALKS

1. SECOND DAY OF REGIONAL TUNA TALKS BEGAN WITH FRENCH  
AND JAPANESE REPRESENTATIVES PRESENT, BRINGING TOTAL  
OF PARTICIPATING STATES TO THIRTEEN WITH PANAMA NOT  
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REPRESENTED.

2. DISCUSSION FOCUSED ON PRINCIPLES TO BE INCORPORATED INTO LOS ARTICLE ON HIGHLY MIGRATORY SPECIES. CANADA OPENED WITH SHORT STATEMENT SETTING FORTH TWO PRINCIPLES: THE FIRST BEING THAT TUNA ARE NOT AN EXCEPTION TO COASTAL STATE SOVEREIGNTY OVER RESOURCES IN THE ECONOMIC ZONE; AND SECOND, BECAUSE OF THE CHARACTERISTICS OF THE SPECIES, AND THE SPECIAL INTEREST OF THE COASTAL STATE FOR THEIR CONSERVATION, INTERNATIONAL COOPERATION IS NEEDED TO PROTECT THE INTERESTS OF THE COASTAL STATE.

3. THE US SET FORTH FIVE PRINCIPLES NECESSARY TO ENSURE CONSERVATION AND OPTIMUM UTILIZATION OF THE SPECIES:

- A) THE NEED FOR A REGIONAL ORGANIZATION;
- B) THAT BOTH STATES WITHIN THE REGION AND STATES OUTSIDE THE REGION BUT INTERESTED IN FISHING WITHIN THE REGION SHOULD BE MEMBERS OF THE ORGANIZATION;
- C) THAT STATES, ACTING THROUGH THE ORGANIZATION, SHOULD DETERMINE TOTAL ALLOWABLE CATCH, ALLOCATION, APPROPRIATE COASTAL STATE PREFERENCES, UNIFORM FEES FOR FISH CAUGHT, AND UNIFORM PENALTIES FOR VIOLATIONS;
- D) THAT STATES, ACTING THROUGH THE ORGANIZATION, SHOULD ESTABLISH A COOPERATIVE ENFORCEMENT PROCEDURE;
- E) THAT REGIONAL ORGANIZATIONS SHOULD COOPERATE TO ENSURE THE CONSISTENCY OF CONSERVATION MEASURES BETWEEN REGIONS.

4. IN RESPONSE TO US PRESENTATION, MEXICO EMPHASIZED NEED FOR CRITERIA UPON WHICH ALLOCATION OF TAC WOULD BE MADE, AND STATED THIS WAS ESSENTIAL PART OF ANY REGIONAL ARRANGEMENT.

5. CHILEAN REPRESENTATIVE MADE STATEMENT AGREEING WITH CANADIAN POSITION THAT HIGHLY MIGRATORY SPECIES ARE NOT AN EXCEPTION TO COASTAL STATE SOVEREIGNTY IN THE ECONOMIC ZONE, BUT RATHER ARE SUBJECT TO THAT SOVEREIGNTY. CHILE ALSO MADE POINT THAT CONSERVATION AND UTILIZATION DUTIES AND OBJECTIVES OF SINGLE NEGOTIATING TEXT SHOULD PERTAIN TO HIGHLY MIGRATORY SPECIES.

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6. MEXICO STATEMENT PRESENTED SIX ELEMENTS TO BE CONTAINED IN LOS ARTICLE 53:

- A) COASTAL STATE SOVEREIGN RIGHTS OVER HIGHLY MIGRATORY SPECIES WITHIN THE ECONOMIC ZONE.
- B) A GENERAL DUTY FOR STATES TO COOPERATE THROUGH INTERNATIONAL REGIONAL ORGANIZATIONS IN ORDER TO CONSERVE THE

SPECIES.

C) MEMBERSHIP IN THE REGIONAL ORGANIZATION WOULD ONLY BE OPEN TO STATES WITHIN THE ECOLOGICAL OR GEOGRAPHIC REGION, AND STATES THAT OPERATED TRADITIONAL FISHERIES WITHIN THE REGION. IN THIS REGARD, NEW ENTRANTS SHOULD BE EXCLUDED IF THE FISHERY IS FULLY EXPLOITED.

D) FUNCTIONS OF THE ORGANIZATION WOULD INCLUDE:

- ESTABLISHING BINDING RULES ON MEMBER STATES REGARDING TOTAL ALLOWABLE CATCH AND SANCTIONS FOR VIOLATIONS OUTSIDE 200 MILES, AND OTHER ESSENTIAL CONSERVATION MEASURES.

- MAKING RECOMMENDATIONS REGARDING THE EQUITABLE ALLOCATION OF TOTAL ALLOWABLE CATCH AMONG MEMBER STATES WHICH WOULD BECOME BINDING ON THE STATE, ONCE IT IS AGREED, AND UNIFORM SYSTEMS OF FEES AND SANCTIONS WHICH WOULD ALSO BE BINDING ON STATES IF THEY AGREED TO THE ORGANIZATIONS RECOMMENDATIONS.

E) A VOTING FORMULA FOR THE ORGANIZATION ON THE BASIS OF A TWO-THIRDS MAJORITY WHICH WOULD INCLUDE ALL OF THE COASTAL STATE MEMBERS. (MEXICAN REP. SPECIFICALLY REFERRED TO THE EVENSEN TEXT, FIFTH REVISION, AS EXAMPLE.)

F) A COOPERATIVE ENFORCEMENT SYSTEM.

7. DURING AFTERNOON SESSION CHAIRMAN GALINDO-POHL DISTRIBUTED TWO US DRAFT ARTICLE 53S WITHOUT ATTRIBUTING AUTHORSHIP TO US. MEETING ON WEDNESDAY EXPECTED TO FOCUS ON THESE DRAFTS, THE MEXICAN PROPOSAL AND THE PROMISED PERUVIAN (ECUADOR) STATEMENT.

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## Message Attributes

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